

Accordingly summary judgment is **GRANTED** on Count I of the Complaint with respect to the alleged retaliatory transfer from Waterboro to Alfred, but is otherwise **DENIED**.

The Clerk's Office may set the case for trial.

**SO ORDERED.**

**DATED THIS 6TH DAY OF MAY, 2011**

/s/D. Brock Hornby \_\_\_\_\_  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**